

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**DEWEY KEITH VENABLE,**  
**Plaintiff,**

**v.**

**WARDEN MATHENA, et al.,**  
**Defendants.**

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**Civil Action No. 7:14cv00295**

**ORDER**

**By: Norman K. Moon**  
**United States District Judge**

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that Venable's first pending motion to amend (Docket No. 168) is **DENIED**; his second pending motion to amend (Docket No. 193) is **GRANTED**; defendants Unit Manager Swiney, Lt. Franklin, and Sgt. Miller's motion for summary judgment (Docket No. 149) is **GRANTED in part** as to Venable's claims for damages against the defendants in their official capacity and **DENIED in part** as to Venable's claim about living conditions. The Clerk is **DIRECTED** to set this matter for a seven-member jury trial in the Big Stone Gap Division.

The Clerk shall send copies of this order and the accompanying memorandum opinion to the parties.

**ENTER:** This 6th day of July, 2016.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE